

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)	ORDER AMENDING CONDITIONS
)	OF RELEASE
V.)	
)	CASE NO. 2:06-cr-102-01
JAMAAL FRANKLIN)	

At the recommendation of the pretrial services officer, this Court imposed conditions of release which included a prohibition of possession of any firearms and weapons. The condition was ordered over the objection of the Defendant, who asserted the condition was unnecessary and that it would prohibit him from engaging in hunting this season.

At the hearing, the United States asserted a statutory prohibition on possession of firearms by someone charged with the offense with which Defendant is charged. The government acknowledged after the hearing that that information was incorrect. By letter dated October 5, 2006, Defendant requested reconsideration of the condition that firearms be prohibited. The government has indicated that it does not oppose that request. The pretrial services officer maintains her recommendation that all possession of firearms be prohibited.

In reaching a decision on the conditions of release, this

Court recognized the government's assertion as erroneous, and so did not rely on it. However, since the government has now changed its position, and no longer requests the firearms prohibition condition, this Court will amend conditions to allow limited possession of firearms.

IT IS ORDERED:

The October 5, 2006 Order Setting Conditions of Release, Paragraph (5)(c) is amended to read:

Defendant shall not possess any weapons or firearms, other than those used for lawful hunting purposes, during lawful hunting seasons. Defendant shall advise the supervising pretrial services officer of all hunting licenses obtained, and of any firearms he intends to use during lawful hunting seasons.

Dated this 17th day of October, 2006.

A handwritten signature in cursive script, reading "Alice R. Senechal", written in black ink.

Alice R. Senechal
U.S. Magistrate Judge